IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 22nd day of February 2005
Bail Application no. 928 of 2004
Order on the bail application of accused

CRIMINAL SIDE

Shankar Mandal @Shushant Mandal
S/o Khajendra Mandal,
R/o Baikunthpur, Shakti Farm No. 1
P.S. Shaktifarm
District Udham Singh Nagar .. Applicant.

Versus

State of Uttaranchal .. Respondent.

Arising out of case crime No. 193/2004
U/S 302 IP.C.
P.S. Sitarganj,
District U.S. Nagar.

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 193 of 2004 under Section 302 I.P.C. P.S. Sitarganj, District Udham Singh Nagar.

Heard Sri S.K. Mandal learned counsel for the applicant, learned A.G.A. and perused the record.

The First Information Report shows that the incident has taken place on 26.05.2004 at 7.00 p.m. and the First Information Report of this incident was lodged by Kashinath father of the deceased Smt. Bhanumati at 8.30 p.m. on the same day.

The record shows that the applicant is the husband of the deceased and he assaulted his wife with an axe, causing the injuries on the head of the deceased. The post-mortem report corroborates the ocular version at this stage.

Keeping in view of the averments made in the First Information Report and corroboration in the medical evidence, I find no force in this bail application.

Accordingly, the same is rejected.

(B.C. Kandpal, J.)

22.02.2005
ASWAL